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5 UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
7 OAKLAND DIVISION  
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9 RICK MASDEN,

10 Plaintiff,

11 vs.

12 SUE RISENHOOVER, et al.,

13 Defendants.  
14

Case No: C 09-5457 SBA


**ORDER DISMISSING ACTION**

15 The Court previously indicated that Plaintiff's counsel had until June 30, 2017, to  
16 file a request for substitution of party or else the action would be dismissed. Dkt. 303. To  
17 date, no such request has been filed. Accordingly,

18 IT IS HEREBY ORDERED THAT the instant action shall be dismissed without  
19 prejudice. The Clerk shall close the file and terminate any pending matters.

20 IT IS SO ORDERED.

21 Dated: 10/12/17

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23 SAUNDRA BROWN ARMSTRONG  
24 United States District Judge  
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